



MINUTES
Strategic Planning Advisory Committee
of the Delaware Commission on Forensic Science

October 6, 2017

Division of Forensic Science - Department of Safety & Homeland Security
200 S. Adams Street, Wilmington DE, 19801
1st Floor - Conference Room

Committee Members Present:

DAG Barzilai Axelrod
Director John Evans
DNA Technical Leader Amrita Lal-Patterson
Dr. Don Lehman
ODS Lisa Schwind
Chief Toxicologist Jessica Smith

Committee Member Excused:

DAG Lisa Morris

Guests Present:

None

DAG Axelrod called the meeting to order. Introductions were made. All members present unanimously confirmed that they wished to continue to serve as members of the Strategic Planning Advisory Committee ("SPC" or "the Committee").

DAG Axelrod thanked the members of the Committee for their prior efforts, which included various site visits to several forensic science facilities in the surrounding area to assess the planning and design processes of their facilities. As a result of those efforts, the SPC generated a report to the Commission ("Report"). Though the report focused on two of the SPC's objectives, it listed eight key objectives and actions items that the SPC had previously identified.

In light of prior successes and efforts, the SPC undertook a review of those eight key objectives and assessed whether the objective or action should remain, be removed, or otherwise modified.

No. 1: An evaluation of the current Division of Forensic Science (DFS) building efficiency with a focus on design, work capacity and environment, I.T. support issues, security and parking.

The Committee agreed that this objective is ongoing and should remain.

No. 2: Establish a synergy between forensic science disciplines focusing on consolidation of several disciplines into one group and at one location.

The Committee agreed that this objective is part and parcel of Objective Number 1 and, therefore, it should remain.

No. 3: Establish a statewide bar coding system, whereby one system will code and track evidence.

Director Evans reminded the Committee that \$400,000 of E-911 funds had been allocated to further this goal, however, the vendor then ended up quoting Delaware a \$1.2M figure instead. Because the money was awarded specifically for bar coding, its allocation had to be returned to E-911. The bar coding system remains an unfunded project.

One of the alternatives that had been discussed was the creation of a system by DTI that could commingle with the DELJIS platforms already in place with the law enforcement agencies. DTI and DELJIS, understandably, have many projects in their queue and this one is not likely at the forefront at this time.

The Committee agreed that it should remain as an objective, with the understanding that at present other objectives are of a higher priority.

No. 4: The need to codify the relationship between DFS and DPH from a health service perspective with respect to drug addiction deaths, epidemics, etc.

The Committee agreed that this objective has been successfully met, Thanks in large part to Dr. Rebecca Walker and her team's partnership with the Drug Monitoring Initiative (DMI), and this objective will be removed.

No. 5: DFS staff retention and pay parity.

Mrs. Lal-Paterson is aware that the Standards and Certification Advisory Committee ("SAC") has discussed this issue as well and asked whether both Committees should be taking it on given that the objective fits within SAC's certification and accreditation ambit. Director Evans agreed that we should not duplicate efforts and that the SAC is likely better suited to address it. Further, independently of the Commission, it is critical and time sensitive issue for DFS and therefore Director Evans and DFS continue to try to address it as well. By way of example, DFS was recently notified of Dr. Emery's (a medical examiner) resignation. Director Evans noted that in nearly all positions Delaware's pay parity is below that of our neighboring states.

The Committee agreed that at the next Commission meeting, SPC would request that SAC transfer this objective to their committee.

No. 6: Pending legislation for offender DNA collection and retention. (148th General Assembly, House Bill 141, tabled in committee)

Given the status of HB 141, the SPC's ability to pursue this objective is limited. It remains in the legislative realm. DFS's legislative liaison is already tasked with reaching out to DFS if this legislation comes up and DFS can then address it internally.

The Committee agreed that this objective will be removed.

No. 7: Creation of an evidence destruction statute.

This objective does not appear to be in line with the SPC's focus, which should be on DFS's strategic planning. Director Evans noted that the creation of such a statute will not impact DFS's operations at all.

The Committee agreed that his objective will be removed.

No. 8: Development of internships with local academic institutions.

Dr. Lehman indicated that the process is going pretty well. His students are excited about the experiences. Dr. Lehman would like to be able to have more students be able to do it, but understands the restraints of DFS. Mrs. Lal-Patterson indicated that DFS has a number of applications with interviews pending. Mrs. Smith asked if Dr. Lehman could send out another email to indicate an application deadline of October 20th. She indicated that the applications she has reviewed looked good. Director Evans indicated they have a fair number of applicants either from local academic institutions or from students that attend schools in other states, but reside in Delaware over the summer. Mrs. Smith indicated that these programs are beneficial and DFS has been able to acquire some good employees as a results of the program.

The Committee agreed that his objective will be removed.

The Committee then addressed if there were any objectives it felt needed to be added to the list.

- Director Evans indicated that the creation of a report that explains and describes DFS's space needs. This report could then be used to identify either existing structures that could be retrofitted or existing State properties that could be used to build a building.
- Mrs. Smith indicated that one of the other action items is consolidation. Bringing other agencies that are not DFS under one roof so that potentially law enforcement can just go to one place to deliver evidence. She asked whether we should first consider what other agencies are in the state that should be consolidated. Director Evans agreed, but before we can consider what other forensic disciplines within the state should be added under the same roof, we first need to quantify DFS's space needs. Once that is done, we can reach out to those disciplines and figure out what their space needs are.
- There are many other forensic disciplines within the state, for example, AFIS, Facial-recognition, IBIS, Computer Forensics, among others. However, the more that are considered the more our space needs could double the size of what we are looking for. The Committee should take a staggered approach to the problem.

Phase I: What do we need to continue operations as we are now?

Phase II: Looking down the road, if we wanted to consolidate disciplines, what would the space need be?

The Committee recalled that when they conducted a site visit in Baltimore, the site also incorporated empty room for future expansion. Director Evans indicated that the way to develop space needs begins with examining each discipline. For example, in pathology, factors include how many autopsies are performed a year, what does our accreditation say the maximum number of autopsies a doctor can do in a year, which in turn tells us how many doctors we need. Then a calculation is made with the associated spaces to include ancillary non-morgue spaces like office,

bathroom, break room, and parking spaces. This process is then replicated per discipline, taking into account the best practices of each one. There is also the need to incorporate projections of future caseloads. When done, the Committee would then be able to determine estimated space needs.

The Committee agreed that the following objective should be added:

- **Outline DFS space needs for future growth in a report.** Ideally, the report should be created in advance of FY '19.

ODS Schwind noted that if other forensic science fields come under the same roof, the certification and accreditation requirements would then carry over to those as well.

Open Discussion Session:

- Director Evans indicated that it is important to make the end report within a realistic range of proposed resolutions.
- ODS Schwind said it is important to include considerations for growth.
- Director Evans indicated we should be open to other considerations, like the possibility of considering multiple facilities. For example, the State is in the process of putting in excess of \$1.5 million into a morgue renovation project which will lead to a state-of-the-art autopsy suite. We are of course, still limited in our capacity to handle the overall volume given the population of the state. However if we consider things like keeping some functions, i.e., pathology and toxicology together in this facility and splitting off DNA, Forensic Chemistry, and other forensic disciplines to another facility, that would create additional capacity in this facility for expansion of the remaining disciplines. Our report should consider a format that would allow for the consideration of various options, given the data we generate.
- ODS Schwind and Mrs. Smith shared the question as to whether there are established standards as to how many cases various disciplines should be handling within a given timeframe. This is an area for which we will need additional information.
- Mrs. Smith also asked if we are to focus on acquisition of new equipment to compliment the new facilities. Director Evans indicated that we need to be realistic and view it in the context of the State's fiscal climate as well. The critical role that DFS plays has been recognized and that we need to move forward. Defined space needs can further discussions of also looking at existing space, structures, and land for possible retrofitting. However, Director Evans indicated that as of now, he is unaware of any existing state property that has been identified as a potential fit for DFS.
- Mrs. Lal-Paterson did not know if this was the appropriate forum to mention it, but she indicated that 95% of the DNA budget is grant funded and not State-supported. If those grant funds go away, that will create an issue. DAG Axelrod agreed that this issue is appropriate to be mentioned and that it will be brought up at the next Commission meeting.
- Lastly, the committee discussed that if we get to the point where we have ideas of existing state structures, there would be a benefit to inviting someone from Facilities Management or other related field, to the committee meeting for their assistance and expertise.

The meeting was adjourned.